

## SCS HB 322 -- MOTOR VEHICLE INSURANCE POLICIES

This bill allows the insurance identification card that contains proof of insurance information for a motor vehicle to be produced in a paper or an electronic format. Acceptable electronic forms include the display of electronic images on a cellular phone or any other type of portable electronic device.

Police officers, commercial vehicle enforcement officers, and commercial vehicle inspectors are immune from liability for any damage to a mobile electronic device when it is presented as proof of financial responsibility, except for damages willfully or maliciously caused by the officer or inspector.

The bill specifies that the apportionment plan for providing service to applicants for insurance under Section 303.200, RSMo, applies to personal automobile and commercial motor vehicle liability policies. The types of personal automobiles are specified in the bill. The bill requires a vote of a governing body of a plan to excuse the plan from servicing applicants during the next calendar year if personal automobile risks exceed \$10 million and the insurance company has more than 5% of the automobile risks in Missouri.

The bill allows the electronic delivery of specified insurance documents and requires compliance with the Uniform Electronic Transactions Act. The criteria for obtaining a customer's consent to receive electronic documents are specified in the bill. Discounts for electronic receipt are allowed, but a customer cannot be charged an additional fee for receiving non-electronic documentation. Certain insurance policies and forms with non-personal information may be made available via an insurer's website. The criteria for posting documents to a website are specified in the bill. Records must be retained for five years after they are withdrawn from use. Customers must be informed that they have a right to a paper copy of a policy form or document and must be provided with toll free phone numbers to make document requests.

The bill also allows motor vehicle insurance policies and endorsements to be mailed, issued, delivered, or posted on an insurer's website if it does not contain personally identifiable information. If a policy and endorsement is posted to a website, it must be easily accessible for as long as the policy is in force, retained and stored for five years after it is no longer in force and made available upon request, and printable and able to be saved in an electronic format. The insurer must notify the insured at the time of issuance and renewal of the method the insured may use to obtain a paper or electronic copy of his or her policy or

endorsements, any changes to the forms or endorsements, and the insured's right to obtain a paper or electronic copy of the forms or endorsements without charge.